

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**USDC SDNY
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SALVADOR GOMEZ,
*on behalf of himself, FLSA Collective Plaintiffs
and the Class,*

Plaintiff,

-against-

Case No. 17-cv-213

TERRI VEGETARIAN LLC d/b/a TERRI,
TERRI 2 LLC d/b/a TERRI,
TERRI 3, LLC d/b/a TERRI,
CRAIG COCHRAN,
JEFFREY LAPADULA and
TOMER VERSANO,

Defendants.

It is hereby ORDERED as follows:

(1) The Court grants conditional certification of the FLSA claim as a representative collective action pursuant to 29 U.S.C. § 216(b) on behalf of all non-exempt employees, including cooks, counter persons and delivery persons, employed by Defendants at the following restaurants within the last three (3) years (collectively, the “Covered Employees”):

- (a) Terri – 685 Third Avenue, New York, New York 10017;
- (b) Terri – 60 West 23rd Street, New York, New York 10010; and
- (c) Terri – 100 Maiden Lane, New York, New York 10038.

(2) The Court approves the distribution of the notice of this FLSA action to Covered Employees, including a consent form (or opt-in form) as authorized by the FLSA.

- (3) The Court approves the proposed FLSA notice (including Spanish translation) of this action and the consent form, attached to Plaintiff's letter of June 30, 2017 (Docket No. 49). The bracketed language proposed by Defendants shall be excluded from the notice.
- (4) Within three days of the date of this Order, Defendants are to produce in Excel format the names, last known mailing addresses, email addresses and all known telephone numbers of all Covered Employees. If a notice is returned as undeliverable, Defendants shall provide the Social Security number of that individual to Plaintiff's counsel alone and use for the sole purpose of performing a skip-trace to identify a new mailing address for notices returned as undeliverable.
- (5) The Court approves the posting of the notice, along with the consent forms, in Defendants' restaurants where Covered Employees are employed, by Plaintiff's counsel at any time during regular business hours.

SO ORDERED



Hon. Jesse M. Furman, U.S.D.J.

July 11, 2017

Dated